

was totally at variance with the rigidly strict construction of the Constitution which they had taught so long. Jefferson himself felt that he had overstepped the bounds of the Constitution, and called an extra session of Congress. To Breckenridge, a member of this Congress, he wrote: "Both Houses, I presume, will see their duty to their country in ratifying and paying for it, so as to- secure a good which would otherwise probably be never again in their power. But I suppose they must then appeal to the nation for an additional article to* the Constitution approving and confirming an act which the nation had not previously authorized. The Constitution has made no provision for our holding foreign territory, still less for incorporating foreign nations into our Union. The Executive, in seizing the fugitive occurrence which SO' much advances the good of his country, has done that beyond the Constitution. The Legislature, in casting behind them¹ metaphysical subtleties and risking themselves like faithful servants, must ratify and pay for it and throw themselves on their country. It is the case of a guardian investing the money of his ward in purchasing an important adjacent territory, and saying to .him, when of age, 'I did this for your good; I pretend to no right to bind you, you may disavow me and I must get out of the scrape as I can; I thought it my duty to risk myself for you.' " He sketched to the Attorney-General the form of the amendment he desired, but concluded: "I quote this for your consideration, observing that the less that is said about any constitutional difficulty the better; and that it will be desirable for Congress to do what is necessary *in silence*. I find but one opinion as to the necessity of shutting up the country for some time."

A week later he wrote, still more urgently, to Nicholas, one of the Senators from Virginia: "You will observe a hint in Monroe's letter, enclosed, to do without delay what we are bound to do. There is reason, in the opinion of our Ministers, to believe that if the thing were to do over again it could not be obtained and that, if we give the least opening, they will declare the treaty void. * * * Whatever Congress shall think it necessary to do, should be done with as little debate as